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VOL. PG.

WAIVER OF BUILDING SET BACK LINES
by NUTCRACKER GOLF CLUB, INC.
for THE ORCHARD ADDITION No. 6, a Single Family Residential Development

STATE OF TEXAS *

COUNTY OF HOOD *

WHEREAS the provisions in paragraph III B (4) of the Covenants and Restrictions for Orchard Addition No. 6, a subdivision in Hood County, Texas recorded in Volume 1503, Page 0767, of the Deed records of Hood County, require a 35 foot building set back line from all boundaries that touch property owned by the Nutcracker Golf Club, Inc., consisting of Lots 14, 15, 16, 17, 18, 19, 20, and 21, Block 10,

AND WHEREAS, such provisions may present an unreasonable burden to purchasers of said lot(s) in designing and building a residence of adequate size to meet the minimum square footage requirements ,

AND WHEREAS the Covenant and Restrictions for Orchard Addition No. 6 provide for a waiver of the 35 foot building set back line upon written approval by the Nutcracker Golf Club, Inc. ,

AND WHEREAS Super J Corporation as developer, and Brian O. Gaffin, AIA, as owner of Lots 8, 14, and 21, Block 10, have requested a waiver of this building line restriction.

NOW THEREFORE, for and consideration of the sum of \$10.00, the sufficiency of which is hereby acknowledged, the Nutcracker Golf Club, Inc. agrees that the above described rear building set back line restrictions of 35 feet be waived, for Lots 14, 15, 16, 17, 18, 19, 20, and 21, Block 10, and that a 20 feet rear building set back line be in effect for said lots.

THIS WAIVER shall extend to the heirs, executors, administrators, or assigns of any purchaser of said lots.

EXECUTED this the 19th day of February 19, 1997.

NUTCRACKER GOLF CLUB, INC.

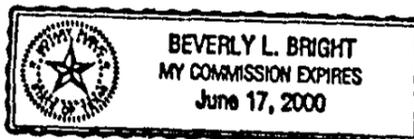
By: Benjamin D. Anthony
Benjamin D. Anthony, President

STATE OF TEXAS *

COUNTY OF HOOD *

This instrument was acknowledged before me on this 19th day of February, 1997, by Benjamin L. Anthony, President of Nutcracker Golf Club, Inc., a Texas corporation, in his capacity as an officer of said corporation.

Beverly L. Bright
NOTARY PUBLIC, State of Texas



Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
STATE OF TEXAS COUNTY OF HOOD
I hereby certify that this instrument was filed on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF HOOD COUNTY, TEXAS, in the Volume and Page as shown hereon.



Anjanette Ables
ANJANETTE ABLES, County Clerk
Hood County, Texas

FILED FOR RECORD
AT 11:15 A.M.

FEB 21 1997

Anjanette Ables
County Clerk, Hood County, Texas

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